

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

BARBIE SONDESKY and
RONALD SONDESKY, on
behalf of themselves and all
other similarly situated
employees,

Case No. 1:14-cv-01077-JDB-egb

Plaintiffs,

v.

ISR GROUP, INC. AND
ALFRED LUMPKIN,

Defendants.

REPORT AND RECOMMENDATION

On reference for report and recommendation and/or determination is the motion of the Defendant Alfred Lumpkin to stay proceedings [D.E.11].

Relevant History

This is a Fair Labor Standards Act lawsuit brought as a collective action by the Plaintiffs. Defendant Lumpkin has answered stating he did not exercise operational control over Co-Defendant ISR Group, and it appears that he has resigned his office and no longer is affiliated with ISR. On May 2, 2014, the Defendant ISR filed a suggestion of bankruptcy [D.E.10].¹

Consistent with the Local Rules of this Western District of Tennessee, the parties consulted on May 29, 2014, prior to the filing of this motion to stay, and the Plaintiffs voiced opposition. *See* L.R. 7.2(a)(1)(B). Nonetheless, the Plaintiff has not responded to the motion

¹ *See In re ISR Group, Inc.*, No. 14-11077-jlc (Bankr. W.D. Tenn. 2014), indicative of a Chapter 11 filing.

itself. As such and pursuant to L.R. 7.2 (a)(2), this Court deems this good grounds for granting this motion to stay and thus reports and recommends to the United States District Court to grant this motion to stay.

Respectfully Submitted,

s/Edward G. Bryant

UNITED STATES MAGISTRATE JUDGE

Date: June 18, 2014

ANY OBJECTIONS OR EXCEPTIONS TO THIS REPORT AND RECOMMENDATIONS MUST BE FILED WITHIN FOURTEEN (14) DAYS AFTER BEING SERVED WITH A COPY OF THE REPORT AND RECOMMENDATIONS. 28 U.S.C. § 636(b)(1). FAILURE TO FILE THEM WITHIN FOURTEEN (14) DAYS MAY CONSTITUTE A WAIVER OF OBJECTIONS, EXCEPTIONS, AND ANY FURTHER APPEAL.